

ORDINANCE NO. 2520

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GILBERT BY AMENDING ORDINANCE NOS. 1900 AND 2179 PERTAINING TO THE COOLEY STATION RESIDENTIAL, OFFICE AND SHOPPING CENTER PLANNED AREA DEVELOPMENT (PAD-ROS), ORDINANCE NOS. 2195 AND 2304 PERTAINING TO THE COOLEY STATION RESIDENTIAL 2 PLANNED AREA DEVELOPMENT (PAD-2), AND ORDINANCE NOS. 2413, 2425, 2443, 2473, AND 2485 PERTAINING TO BOTH PAD-ROS AND PAD-2 BY REZONING APPROXIMATELY 98.33 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTHEAST OF THE SOUTHEAST CORNER OF RECKER AND WILLIAMS FIELD ROADS, IN ZONING CASE Z14-25, FROM APPROXIMATELY 98.33 ACRES OF SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO APPROXIMATELY 15.28 ACRES OF SINGLE FAMILY ATTACHED (SF-A) AND 83.05 ACRES SINGLE FAMILY DETACHED (SF-D), ALL WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT; AND BY AMENDING CONDITIONS OF DEVELOPMENT AS FOLLOWS: INCREASE THE FRONT YARD SETBACK FOR SF-A, REDUCE THE SIDE YARD SETBACK FOR SF-A, INCREASE LOT COVERAGE FOR SF-A, INCREASE THE SIDE YARD SETBACK IN SF-D ALLEY, DECREASE THE FRONT YARD SETBACK WHEN INTERNAL TO THE AUTO-COURT IN THE MODIFIED COURTYARD, INCREASE SIDE YARD SETBACK AND TO DECREASE THE REAR YARD SETBACK FOR THE SF-D COURTYARD AND MODIFIED COURTYARD; AND RESTATING AND INCORPORATING THE PROVISIONS OF ORDINANCE NOS. 1900, 2179, 2195, 2304, 2413, 2425, 2443, 2473, 2485 AND 2496 HEREIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NON-SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town of Gilbert Town Council desires to rezone certain parcels and amend conditions of development relating to the development of certain parcels within the Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) pursuant to the Town of Gilbert Zoning Code requirements for a Planned Area Development to modify base zoning district regulations to implement policies in the General Plan, permit unique or mixed-use development, permit a concurrent review of housing

product and neighborhood design, including lotting pattern, for development in the Gateway Character Area; and

WHEREAS, the Town Council has determined that this amendment to the Zoning Map and the Planned Area Development conditions of development conforms with the Town of Gilbert General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, those certain documents entitled Exhibit 42: Amended Zoning Exhibit of the Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) dated June 26, 2014, Exhibit 43: Development Plan of the Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) dated June 26, 2014, Exhibit 44: Street Section Keysheet for Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) dated June 26, 2014, Exhibit 45: Street Sections for Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) dated June 26, 2014, and Exhibit 46: Open Space and Circulation Plan for Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) dated June 26, 2014, are attached hereto and incorporated by this reference.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

1. The Official Zoning Map of the Town of Gilbert, Arizona is hereby amended by amending Ordinance Nos. 1900, 2179, 2195, 2304, 2413, 2425, 2443, 2473, 2485 and 2496 relating to the Cooley Station Residential, Office and Shopping Center Planned Area Development (PAD-ROS) and Cooley Station Residential 2 Planned Area Development (PAD-2) by changing the zoning classification of real property consisting of approximately 98.33 acres located southeast of the southeast corner of Recker and Williams Field Roads (the "Property"), as described in the legal description, Exhibit 1 (Cooley Station Exhibit 43) and shown on the Zoning Exhibit (map) in Exhibit 2 (Cooley Station Exhibit 44), both attached hereto and incorporated by reference herein, from 98.33 acres of Single Family - Detached (SF-D) zoning district within a Planned Area Development Overlay Zoning District to approximately

15.28 acres of Single Family – Attached (SF-A) and 83.05 acres of Single Family - Detached (SF-D) zoning districts all with a Planned Area Development Overlay zoning district.

2. Ordinance Nos. 1900 and 2179 relating to the PAD-ROS, Ordinance Nos. 2195 and 2304 relating to the PAD-2 and Ordinance Nos. 2413, 2425, 2443, 2473, 2485 and 2496 relating to both the PAD-ROS and PAD-2 are amended by adding new Exhibits 43 through 46, and making those Exhibits part of the Development Plan for the PAD-ROS and PAD-2, said documents being attached hereto and incorporated herein by this reference, to read as follows:

EXHIBIT 43: Development Plan for Cooley Station Residential, Office, and Shopping Center and Residential 2 PADs, dated June 26, 2014.

EXHIBIT 44: Street Section Keysheet for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 26, 2014.

EXHIBIT 45: Street Sections for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 26, 2014.

EXHIBIT 46: Open Space and Circulation Plan for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 26, 2014.

3. All dedications, development requirements and development conditions set forth in Ordinance Nos. 1900, 2179, 2195, 2304, 2413, 2425, 2443, 2473, 2485 and 2496 relating to the PAD-ROS and PAD-2 are incorporated herein and shall remain in full force and effect, except as amended by revising development conditions and adding new conditions to read as follows (additions shown in ALL CAPS, deletions shown in strikeout):

- a. Dedication to the Town for Residential Collector Street (BB) shown on Exhibits ~~35-40~~ 45 Street Sections, ~~34-39~~ 44 Street Section Keysheet, and ~~36-41~~ 46 Open Space and Circulation Plan, shall be completed at the time of final plat recordation or sooner as required by the Town Engineer. Dedication of the Residential Collector Street (BB) shall extend 34 feet for full street right-of-way adjacent to the Project.
- b. Deleted.
- c. Dedication to the Town for the Boulevard Collector (DD) shown on Exhibits ~~34, 35, 39, 40~~ 44, 45 and ~~36, 41~~ 46 Street Section Keysheet, Street Sections and Open Space and Circulation Plan, shall be completed at the time of final plat recordation or sooner as required by the Town

Engineer. Dedication of the Boulevard Collector (DD) shall extend 49 feet for full street right-of-way adjacent to the Project.

- d. Dedication to the Town for Cooley Loop (EE) shown on Exhibits ~~34, 35, 39, 40~~ 44, 45 and ~~36, 41~~ 46 Street Section Keysheet, Street Sections, and Open Space and Circulation Map shall be completed at the time of final plat recordation or sooner as required by the Town Engineer. Dedication of Cooley Loop (EE) shall extend 60 feet for full street right-of-way adjacent to the Project.
- e. Deleted.
- f. Deleted.
- g. Dedication to the Town of that portion of Wade Drive and Vest Avenue (GG) shown on Exhibits ~~34, 35, 39, 40~~ 44, 45 and ~~36, 41~~ 46, Street Section Keysheet, Street Sections, and Open Space and Circulation Plan, adjacent to Parcels 1A, 1B, 2 and 3 shall be completed at the time of final plat recordation or sooner if required by the Town Engineer. Dedication shall extend 17 feet from the centerline adjacent to the Project.
- h. Developer shall designate and shall set forth on the final plat, landscape, sidewalk and parking tracts abutting Collector Street (BB), Williams Field Road (CC), Boulevard Collector (DD), Cooley Loop (EE), Galveston Street, Wade Drive and Vest Avenue (GG), all as shown on Exhibits ~~34, 35, 39, 40~~ 44, 45 and ~~36, 41~~ 46 Street Section Keysheet, Street Sections, and Open Space and Circulation Plan.
- i. Construction of required off-site improvements to Williams Field Road, Recker Road and all internal residential and collector streets abutting the Project shall be completed prior to occupancy of any building or unit in the Project, or at the time requested by the Town, whichever is earlier. If the Town requests construction of the off-site improvements prior to construction of the Project, in lieu of construction, the Developer may enter into a Reimbursement Development Agreement with the Town for payment by Developer of Developer's pro rata share of the costs of the off-site improvements to satisfy the requirements of this condition.
- j. The Project shall be developed in conformance with the Town's zoning requirements for the Multi-Family Low (MF/L), Multi-Family/Medium (MF/M), Single Family – Detached (SF-D), SINGLE FAMILY – ATTACHED (SF-A), General Office (GO) and Shopping Center (SC)

zoning districts and all development shall comply with the Town of Gilbert Land Development Code except as modified by the following:

<i>Single Family Detached (SF-D)</i>	<i>Parcels 1B, 9, and 11</i>	<i>Parcel 12</i>
Minimum lot area	1,900 sq. ft.	1,900 sq. ft.
Maximum building height	39.5 feet or 3-stories	39.5 feet or 3-stories
Front yard setback	8 feet	5 feet for homes fronting on courtyard, otherwise 8 feet
Rear yard setback	10 ft. (to center of alley)	10 ft. (to center of alley)
Lot coverage	65% single story	65% single story
	55% two & three story	55% two & three story

<i>Multi-family/Low (MF/L) District</i>	<i>Parcel 1A Ashley Heights Ward at Cooley Station</i>
Common Open Space (Minimum)	37% of net site

<i>Multi Family Medium (MF/M)</i>	<i>Parcels 2, 3, 4, 5, 6, 13 and 14</i>
Minimum Net Land Area per Unit	1,700 sq. ft. (*=25 d.u.'s/ac.)
Building Step-back	0 feet
Minimum Perimeter Building Setbacks (ft.)	
Front	8 feet adjacent to arterials and collectors*
Side	10 feet adjacent to arterials and collectors*
Rear	10 feet adjacent to collectors*
Rear (Residential) Parcel 13	20 feet adjacent to residential**
Minimum Perimeter Landscape Area (Depth in Ft.)	
Front	5 feet adjacent to arterials and collectors*
Side (Street)	5 feet adjacent to arterials and collectors*
Rear (Residential)	8 feet adjacent to collectors*
Rear (Non-Residential)	8 feet adjacent to collectors*
Common Open Space (Minimum)	35% of net site area if property is: a) directly across right-of-way from village park; and b) abutting one of the village parks; and c) within 1/6 of a mile or 880 feet of one of the village parks
Separation between three-story buildings	10'***

* If not adjacent to arterial or collector as noted, then the Land Development Code (LDC) applies.

** If Parcel 13 is developed with up to 15 dwelling units per acre, three-story buildings shall be 10' apart. Otherwise the Land Development Code (LDC) applies.

General Office (GO)	Parcel 7
Minimum Building Setback (ft.)	
Front	0 feet or "back of sidewalk" on arterial or collector
Side (Arterial)	0 feet or "back of sidewalk" on arterial or collector
Side (Collector or Local)	0 feet on Collector, 10 feet on local
Side (Non-residential)	15 feet between buildings
Minimum Perimeter Landscape Area (Ft.)	
Front	0 feet (excluding landscape easement)
Side (Arterial)	0 feet (excluding landscape easement)
Side (Collector)	0 feet (excluding landscape easement)
Side (Local)	10 feet (excluding landscape easement)

- k. Developer shall create a new Homeowner's Association (HOA) and Property Owners' Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way. Maintenance responsibilities for common areas and open space areas shall be specified at the time of approval of the final site plan and/or final plat.
- l. The developer shall execute water and sewer buy-in agreements, whereby the developer shall pay for its proportional share of water and sewer mains prior to final plat approval.
- m. Deleted.
- n. On-street parking spaces for the General Office parcel shall be allowed a credit of one parking space to one parking space toward the required parking for the development. The on-street parking spaces shall be striped and signed by the developer. Parking signage shall designate parking limitations for the General Office use, Parcel 7.
- o. Designated on-street parking spaces abutting Multi-Family/ Medium and Multi-Family/Low projects shall be counted as a maximum credit of 55% of the required on-site visitor /guest parking. The on-street parking spaces shall be striped by the Developer.

- p. Deleted.
- q. Dedication to the Town for Recker Road right-of-way that is adjacent to Parcel 15, as shown on Exhibit ~~3439~~ 44 Street Section Keysheet, shall be completed at the time of final plat recordation or sooner as required by the Town Engineer. Dedication of Recker Road shall extend 65 feet from the centerline for approximately 1314 feet south of the intersection with Galveston Street adjacent to Parcel 15 and 65 feet from the centerline for approximately 130 feet south of the intersection with Boulevard Collector (DD) adjacent to Parcel 16.
- r. Deleted.
- s. Dedication to the Town of that portion of Galveston Street, Wade Drive, and Vest Avenue rights-of-way adjacent to Parcel 15, all as shown on Exhibits ~~34 39 44~~ and ~~35 40 45~~, Street Section Keysheet and Street Sections, shall be completed at the time of final plat recordation or sooner if required by the Town Engineer. Dedication of Galveston Street, Wade Drive, and Vest Avenue shall extend 17 feet from the centerline adjacent to the Project.
- t. Deleted.
- u Deleted.
- v. Parcels 15 shall be developed in conformance with the Town's zoning requirements for the Single Family Detached (SF-D) zoning District and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

<i>Single Family Detached (SF-D) Parcels 15</i>		
<i>Development Standard</i>		<i>Parcel 15</i>
Minimum lot area		1,900 Sq. Ft.
Maximum building height		40 Feet
Front yard setback		Street loaded lots: 8 feet Alley loaded lots fronting on courtyard: 5 feet
Front back of curb to face of garage		Street loaded lots: 20 feet from back of sidewalk to face of garage
Rear yard setback		Street loaded lots: 10 feet Alley loaded lots: 10 feet to center of alley

Side Setback		Street loaded lots: 5 feet 3 foot clear zone from property line to utility pad when 7 foot setback is provided. Alley loaded homes: 0 feet and 5 feet
Lot coverage		65% 1-story
		55% 2-story and 3-story

w Deleted.

x. Deleted.

y. The developer shall reserve a three (3) net acre well/reservoir site, generally located at the southeast corner of Galveston Street and Wade Drive and as illustrated on the Conceptual Development Plan, for future acquisition of title to and possession by the Town of Gilbert for a purchase price based on fair market value through purchase or eminent domain. Fair market value shall be based on an appraisal prepared by a qualified appraiser approved by the Town and Developer. The reservation shall expire upon recordation of the final plat for Parcel 15, as shown on Exhibit 33 38 Development Plan for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs unless a purchase contract has been entered into for the well/reservoir site prior to recordation of the final plat or an eminent domain action is pending. If the reservation expires, the final plat shall include platting of the site.

Notwithstanding the designation on the preliminary plat of the 3.3 acre well site parcel, the final plat shall designate the 3.3 acre well site parcel as 25 lots, unless one of the following events has occurred prior to that date: (i) the Town and Fulton Homes have entered into an agreement (the "Purchase Agreement") for the purchase of the 3.3 acre well site parcel, and the Town has waived all conditions to its obligations to close on the purchase other than the release or payment of monetary liens, or (ii) the Town has filed an action (the "Condemnation") to condemn the 3.3 acre well site parcel, and deposited \$100,000 with the Court to apply toward the payment of the judgment. Further, if the Town defaults under the Purchase Agreement beyond the applicable period of notice and cure, or abandons the condemnation, the 3.3 acre well site parcel shall be automatically converted to 25 lots.

z. The applicant shall prepare for review and approval by the Town's Design Review Board, design guidelines addressing a landscaping palette and intensity, architectural design theme, hardscape, building materials,

signage, and entry monumentation for the approximately 462 acre Residential Properties to coordinate and conform to the Gateway Area Streetscape Design Guidelines and to implement the Gateway Character Area policies contained in the General Plan.

- aa. The owner or operator of the school on Parcel 16 shall submit a letter to the Town Traffic Engineer at least one week before the opening day of classes for each school year affirming that start/dismissal times will be staggered for the year and that the parents have been assigned to the drop off area providing the most efficient route for access.
- bb. Upon completion of the remediation of Parcel 16 and prior to issuance of a building permit, developer shall submit to the Town engineer a remediation level assessment report demonstrating that the site is below the Arizona Department of Environmental Quality (ADEQ) contaminant levels for schools.
- cc. Deleted.
- dd. Prior to final plat approval for Parcel 12, dedication is required for the portion of the east connector road that is contained within Parcel 12 and continues north from the intersection of Cooley Loop East and Cooley Loop North, as shown on the Street Section Key Sheet Exhibit.
- ee. Prior to issuance of a certificate of occupancy for any building within Parcel 12, off-site improvements (or cash-in-lieu of construction) is required for the portion of the east connector road that is contained within Parcel 12 and continues north from the intersection of Cooley Loop East and Cooley Loop North, as shown on the Street Section Key Sheet exhibit.
- ff. For parcels located within the “Cooley Center”, as defined in Resolution 2889, reimbursements shall be required for off-site improvements designed and constructed by the Town of Gilbert, should the overall development schedule described in that resolution not be met.
- gg. Parcels 10 and 17 shall be developed in conformance with the Town’s zoning requirements for the Single Family Detached (SF-D) zoning district and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

<i>Single Family Detached (SF-D) Parcels 10 and 17</i>			
<i>Development Standards</i>	<i>AREA A</i>	<i>AREA B</i>	<i>AREA C</i>
Minimum Lot Area	6,000 sf	7,680 sf	9,450 sf
Minimum Lot Dimensions	50' x 120'	60' x 128'	70' x 135'
Front Yard Setbacks	10'	12'	15'
Side Yard Setbacks	5' and 5'	5' and 10'	5' and 10'
Rear Yard Setbacks	5'	20'	20'
Maximum Height*	30'/2 story	30'/2 story	30'/2 story

* Homes adjacent to MF/L, MF/M and all non-residential zoning districts shall not be limited to 1 story in height

hh. Fulton Homes shall disclose to the public on the final plat, including new homeowners, the daytime and nighttime noise levels naturally occurring with Union Pacific's long-standing freight rail services, as well as the pre-existing and predictably-occurring vibrations.

II. PARCELS 9 AND 11 SHALL BE DEVELOPED IN CONFORMANCE WITH THE TOWN'S ZONING REQUIREMENTS FOR THE SINGLE FAMILY ATTACHED (SF-A) AND SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT AND ALL DEVELOPMENT SHALL COMPLY WITH THE TOWN OF GILBERT LAND DEVELOPMENT CODE, EXCEPT AS MODIFIED BY THE FOLLOWING:

DEVELOPMENT STANDARDS	SF-A PARCEL 9	SF-D PARCEL 11 (ALLEY HOMES)	SF-D PARCEL 11 (COURTYARD HOMES)	SF-D PARCEL 11 (COURTYARD HOMES MODIFIED)
<i>MIN. LOT AREA</i>	1,900 SF	1,900 SF	1,900 SF	1,900 SF
<i>MAX. HEIGHT</i>	39.5'/3-STORY	39.5'/3-STORY	39.5'/3-STORY	39.5'/3-STORY
<i>MIN. FRONT YARD SETBACK</i>	10'	8'	8'	8' TO STREET 5' INTERNAL TO AUTO-COURT
<i>MIN. SIDE YARD SETBACK</i>	0'	5'	5'	5'
<i>MIN. REAR YARD SETBACK</i>	10' TO CENTER OF ALLEY	10' TO CENTER OF ALLEY	5'	5'
<i>MAX. LOT COVERAGE</i>	65% FOR ALL LOTS REGARDLESS OF HEIGHT	65% 1-STORY 55% 2 AND 3- STORY	65% 1-STORY 55% 2 AND 3- STORY	65% 1-STORY 55% 2 AND 3- STORY

Section II. Providing for Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section IV. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the Gilbert Land Development Code. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Zoning Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 29th day of January, 2015, by the following vote:

AYES: E. Cook, J. Daniels, J. Lewis, V. Petersen, B. Peterson,
J. Ray, And J. Taylor

NAYES: none ABSENT: none

EXCUSED: none ABSTAINED: none

APPROVED this 29TH day of JANUARY, 2015.



John W. Lewis, Mayor

ATTEST:

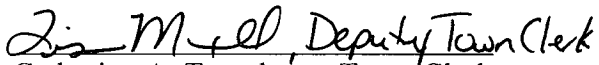

for Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:



L. Michael Hamblin
Town Attorney

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2520 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 29TH DAY OF JANUARY, 2015, WAS POSTED IN FOUR PLACES ON THE 5th DAY OF February, 2015.



Catherine A. Templeton, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. EXHIBIT 42: Zoning Map
3. EXHIBIT 43: Development Plan for Cooley Station Residential, Office, and Shopping Center and Residential 2 PADs, dated June 4, 2014.
4. EXHIBIT 44: Street Section Keysheet for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 4, 2014.
5. EXHIBIT 45: Street Sections for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 4, 2014.
6. EXHIBIT 46: Open Space and Circulation Plan for Cooley Station Residential, Office and Shopping Center and Residential 2 PADs, dated June 4, 2014.

**Z14-25: Cooley Station Parcel 9 and 11
Attachment 5 - Zoning Ordinance
Exhibit 1 - Legal Description**

▼ 01001

**Legal Description
Fulton Homes
Parcels 9 & 11 Zoning**

Job No. 14-081

January 12, 2015

A portion of the Northwest Quarter of Section 36, Township 1 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a brass cap at the west quarter corner of said Section 36, from which a brass cap at the northwest corner of said Section 36 bears North 0 degrees 40 minutes 00 seconds West (an assumed bearing) at a distance of 2635.46 feet;

thence North 0 degrees 40 minutes 00 seconds West, along the west line of the Northwest Quarter of said Section 36, 581.18 feet to the POINT OF BEGINNING;

thence North 0 degrees 40 minutes 00 seconds West, along said west line 1394.28 feet to a point on the south line of the north 660.00 feet of the Northwest Quarter of said Section 36;

thence North 89 degrees 27 minutes 02 seconds East along said south line, 2625.49 feet to a point on the east line of said Northwest quarter and the centerline of proposed E. Somerton Boulevard;

thence South 0 degrees 47 minutes 48 seconds East along said centerline, 775.67 feet to the beginning of a curve, concave northwest, having a radius of 1099.00 feet;

thence southwesterly 2292.42 feet along the arc of said curve to the right and said centerline, through a central angle of 119 degrees 30 minutes 51 seconds;

thence North 61 degrees 16 minutes 56 seconds West, 234.57 feet along said centerline to a point on the east line of the E. Somerton Boulevard right of way as shown on the Final Plat of Legacy Charter School – Gilbert, Book 1153, Page 44, Official Records of Maricopa County, Arizona;

thence North 61 degrees 16 minutes 56 seconds West, 224.91 feet along the centerline of E. Somerton Boulevard as shown on said plat to the beginning of a curve, concave southwest, having a radius of 943.71 feet;

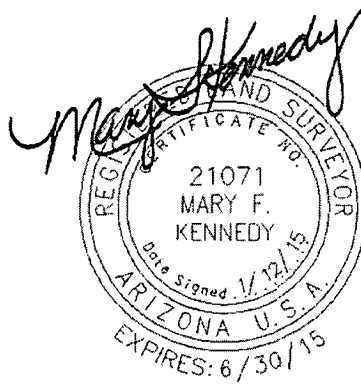
thence northwesterly 483.98 feet along the arc of said curve to the left and said centerline, through a central angle of 29 degrees 23 minutes 03 seconds;

**EPS Group, Inc. • 2045 S. Vineyard Ave., Suite 101 • Mesa, AZ 85210
Tel (480) 503-2250 • Fax (480) 503-2258**



thence South 89 degrees 20 minutes 00 seconds West, 125.60 feet along said centerline to the POINT OF BEGINNING.

Containing an area of 4,283,296 square feet or 98.3309 acres, more or less.



EPS Group, Inc. • 2045 S. Vineyard Ave., Suite 101 • Mesa, AZ 85210

Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2014\14-081\Legal Survey\Legals\14081LD Fulton 9 & 11 Zoning 011215.docx

E. WILLIAMS FIELD ROAD

EAST COOLEY
LOOP SOUTH

S. RECKER ROAD

SUBJECT PROPERTY
COOLEY STATION PARCELS 9 & 11

LEGACY
CHARTER
SCHOOL

E. SOMERTON BLVD

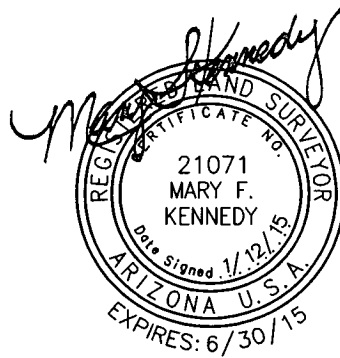
COOLEY STATION PARCELS 10 & 17

SOUTHERN PACIFIC TRANS.
E. RITTENHOUSE ROAD

R.W.C.D.



NOT TO SCALE



14-081

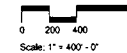
ZONING EXHIBIT

COOLEY STATION
PARCELS 9 & 11



2045 S. Vineyard Ave.
Ste. 101 Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

14-081



Case # _____
Planning Commission Meeting: _____
Town Council Meeting: _____

Job No.
14-081
ZONING
Sheet No.
1
of 6

!4-08!

Sheet No.
2
of 6

14-081

WILLIAMS FIELD ROAD - MAJOR ARTERIAL. SEE FIGURE 2 OF THE GATEWAY AREA HAZARD IMPROVEMENT STUDY FOR LANDSCAPE DESIGN GUIDELINES

SECTION AA
RECKER ROAD

SECTION BB
RESIDENTIAL COLLECTOR STREET - SECTION B

SECTION CC
WILLIAMS FIELD ROAD MINOR ARTERIAL STREETS

SECTION DD
BOULEVARD COLLECTOR STREET WITH MEDIAN

SECTION EE
COOLEY LOOP

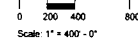
SECTION FF
RESIDENTIAL COLLECTOR STREET

SECTION GG - MF
RESIDENTIAL COLLECTOR STREET

SECTION GG - SF
RESIDENTIAL COLLECTOR STREET

SECTION GG - SF, FUAL
RESIDENTIAL COLLECTOR STREET

ZONING BOUNDARY



Case # _____
Planning Commission Meeting: _____
Town Council Meeting: _____

STREET SECTION KEYSHEET

Revisions:	
October 2014 - Pre-submission 2014	
November 2014 - Zoning 1st Submittal	



Job No.

3
of 6

**Z14-25: Cooley Station Parcel 9 and 11
Attachment 5 - Zoning Ordinance
Exhibit 5 - Development Plan (Exhibit
45 of Draft Ordinance)**

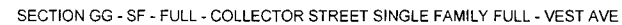


LOOKING EAST

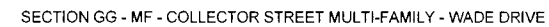
[illegible]

NOTE: SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (P/L). NO BUILDING OR STRUCTURE SHALL ENCR OACH INTO AN EASEMENT OR TRACT.

LOOKING NORTH



LOOKING EAST



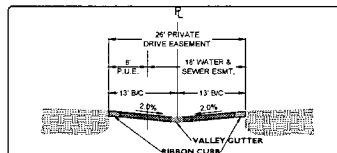
LOOKING NORTH



LOOKING EAST

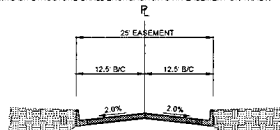
Case # _____
Planning Commission Meeting: _____
Town Council Meeting: _____

STREET SECTIONS
FOR
COOLEY STATION RESIDENTIAL, OFFICE
AND SHOPPING CENTER AND RESIDENTIAL
2 PADs PARCELS 9 & 11



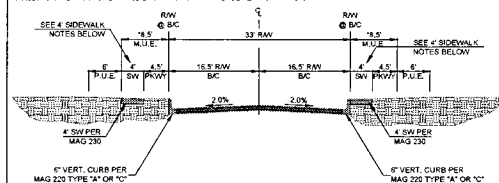
STREET ALLEY - PARCELS 1B, 9, 10, 11 & 17

N.T.S.
NO PARKING BOTH SIDES OF STREET SIGNED PER TOG DETAIL 63.
NOTE: SETBACKS SHALL BE MEASURED FROM ALLEY CENTERLINE. NO
BUILDING OR STRUCTURE SHALL ENCR OACH INTO AN EASEMENT OR TRACT.



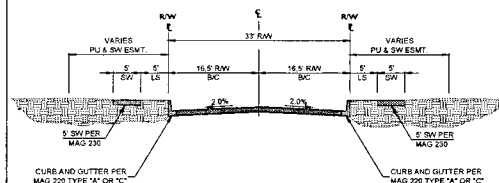
STREET ALLEY - PARCEL 15

N.T.S.
NO PARKING BOTH SIDES OF STREET SIGNED PER TGD DETAIL 53.
NOTE: SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (P.L.). NO
BUILDING OR STRUCTURE SHALL ENCRUCH INTO AN EASEMENT OR TRACT.



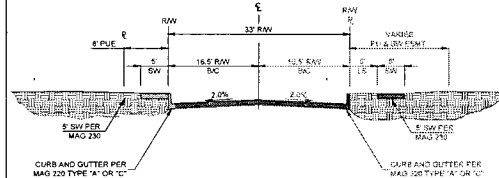
LOCAL RESIDENTIAL STREET - PARCELS 12 & 16

N.T.S.
NOTE: PARKING ALLOWED ON BOTH SIDES OF ROADWAY.
*MULTI USE EASEMENT DEDICATED TO TOWN OF GILBERT FOR SIDEWALKS, STREET LIGHTS, STREET SIGNS AND UTILITIES. HOMEOWNERS ASSOCIATION TO MAINTAIN LANDSCAPING.
PARCEL 12: ATTACHED 4' SIDEWALK AT BACK OF CURB ON BOTH SIDES OF STREET.
PARCELS 16 & 17: DETACHED 4' SIDEWALK WITH 4.5' PARKWAY BETWEEN SIDEWALK & BACK OF CURB ON BOTH SIDES OF STREET.



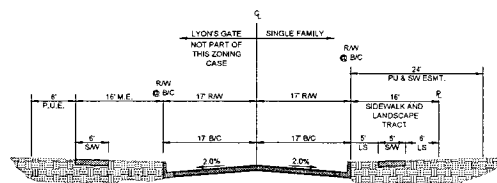
LOCAL RESIDENTIAL STREET - PARCELS 9, 10, 11, 15 & 17

N.T.S.
NOTE. PARKING ALLOWED ON BOTH SIDES OF ROADWAY,
SIDEWALKS ADJACENT TO OPEN SPACE TRACT WILL BE ATTACHED



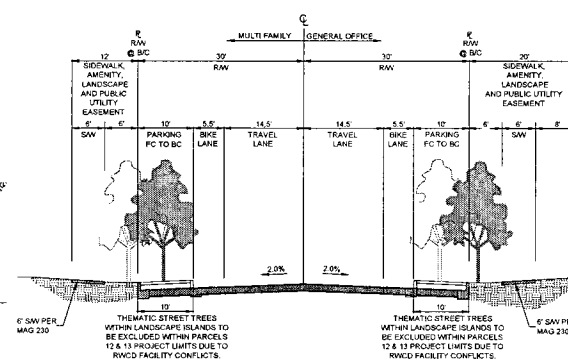
LOCAL RESIDENTIAL STREET - PARCEL 1B

N.T.S.



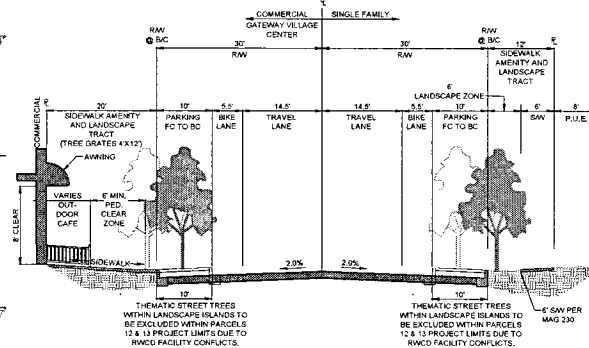
SECTION GG - SF - COLLECTOR STREET SINGLE FAMILY - WADE DRIVE

N.T.S. LOD
 * NO PARKING BOTH SIDES OF STREET SIGNED PER TOG DETAIL 63.
 NOTE: SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (PL). NO BUILDING OR STRUCTURE SHALL ENCRATCH INTO AN EASEMENT OR TRACT.



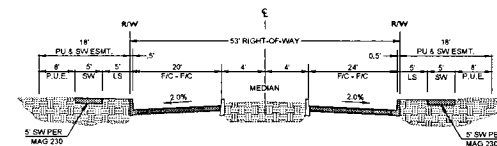
SECTION EE - COOLEY LOOP - MULTI FAMILY / GENERAL OFFICE

NOTE: COOLEY LOOP SECTION EE SHALL APPLY TO PARCEL FRONTAGE BASED ON PROPERTY ZONING DESIGNATION FOR EACH PARCEL FRONTING COOLEY LOOP. SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (P/L). NO BUILDING OR STRUCTURE SHALL ENCROACH INTO AN EASEMENT OR TRACT.



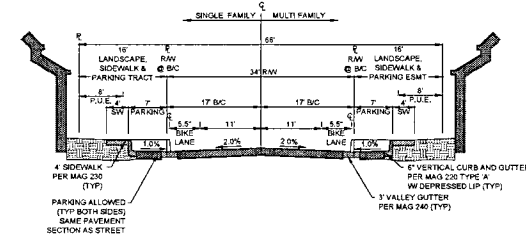
SECTION EE - COOLEY LOOP - COMMERCIAL / SINGLE FAMILY

NOTE: COOLEY LOOP SECTION EE SHALL APPLY TO PARCEL FRONTAGE BASED ON PROPERTY ZONING DESIGNATION FOR EACH PARCEL FRONTING COOLEY LOOP. SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (P/L). NO BUILDING OR STRUCTURE SHALL ENCRANCH INTO AN EASEMENT OR TRACT.



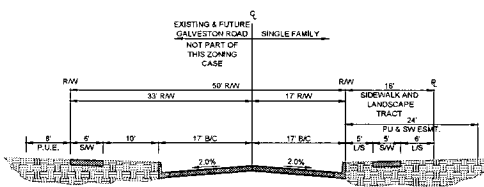
LOCAL ENTRY RESIDENTIAL STREET - PARCEL 10 & 17

* NO PARKING BOTH SIDES OF STREET SIGNED PER TOG DETAIL 63.
NOTE: MEDIAN TREES SHALL BE MAINTAINED TO PROVIDE A 15' VERTICAL
CLEARANCE BETWEEN THE CANOPY AND THE ROADWAY PER TOG FIRE DEPT.



SECTION BB - RESIDENTIAL COLLECTOR STREET CROSS SECTION "B"

* PARKING BOTH SIDES OF STREET PER FIRE LANE COMPLIANCE DETAIL PF01
NOTE: SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (PL). NO BUILDING OR STRUCTURE SHALL ENCRANCH INTO AN EASEMENT OR TRACT



SECTION GG - RESIDENTIAL COLLECTOR STREET - GALVESTON STREET

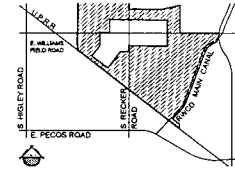
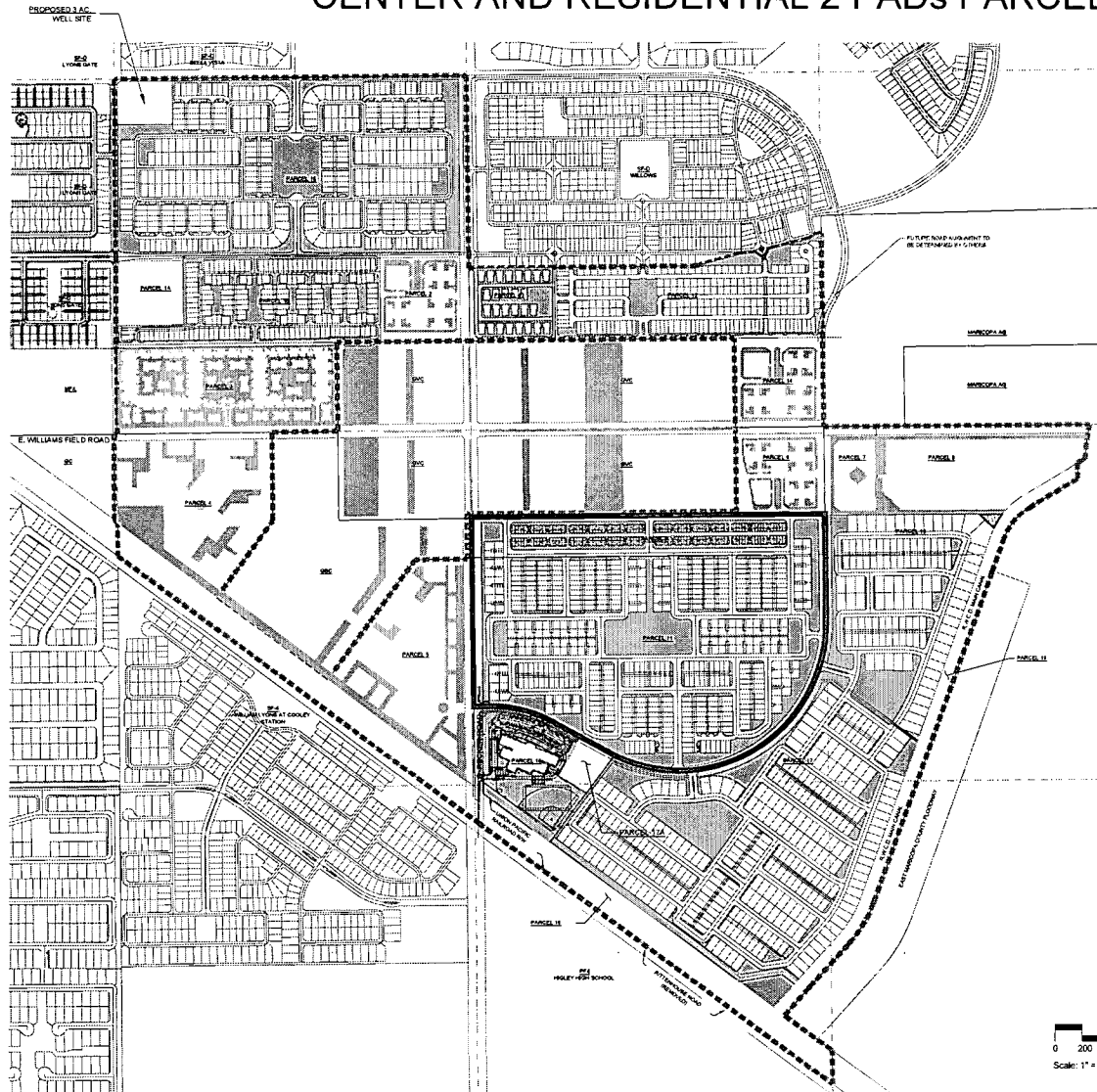
* NO PARKING BOTH SIDES OF STREET SIGNED PER TOG DETAIL 63.
NOTE: SETBACKS SHALL BE MEASURED FROM PROPERTY LINE (P/L). NO BUILDING OR STRUCTURE SHALL ENCRATCH INTO AN EASEMENT OR TRACT.

TOWN OF GILBERT CASE NO.

Case # _____
Planning Commission Meeting: _____
Town Council Meeting: _____

OPEN SPACE & CIRCULATION PLAN FOR COOLEY STATION RESIDENTIAL, OFFICE AND SHOPPING CENTER AND RESIDENTIAL 2 PADs PARCELS 9 & 11

Z14-25: Cooley Station Parcels 9 and 11
Attachment 5 - Zoning Ordinance
Exhibit 6 - Open Space and Circulation
Plan (Exhibit 46 of Draft Ordinance)



PROJECT TEAM

LANDOWNERS:
POCO RANCH, INC.
17407 E. RAY ROAD
HOLEY, AZ 85238
TEL: (480) 568-3055
CONTACT: JEFF COOLEY

DEVELOPER (PARCELS 9 & 11):
KUTON HOMES
8145 S. KYRIE ROAD, SUITE 202
TEMPE, AZ 85284
TEL: (480) 753-4789
FAX: (480) 753-5554
CONTACT: NORM NICHOLLS

CONSULTANT:
EPIC GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480) 568-2290
FAX: (480) 503-2258
CONTACT: JOSH HANNON

LAND USE ATTORNEY:
BURTON & GORDON
702 E. OSBORN ROAD, SUITE 200
PHOENIX, AZ 85014
TEL: (602) 244-8794
FAX: (602) 455-9754
CONTACT: BRENNAN RAY

LEGEND

- ██████████ ZONING BOUNDARY
- PARCEL BOUNDARY CHANGE
- ▨▨▨▨▨▨ CONCEPTUAL OPEN SPACE

0 200 400 800
Scale: 1" = 400' - 0"



TOWN OF GILBERT CASE NO. _____

Case # _____
Planning Commission Meeting: _____
Town Council Meeting: _____



COOLEY STATION RES., O., & SC & RES. 2 PADs
CLIENT: ARIZONA
OPEN SPACE AND CIRCULATION PLAN

Revisions



Designer: STAFF
Drawn by: STAFF

Preliminary
Not For
Construction
Or
Recording

Job No.
14-081
Sheet No.
6 of 6

Z14-25: Cooley Station Parcel 9 and 11
Attachment 2 - Finding of Fact

FINDING OF FACT
Z14-25 Cooley Station Parcels 9 and 11

1. The proposed zoning amendment conforms to the General Plan and the Planned Area Development overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.

When recorded mail to:

Town of Gilbert

Town Clerk

50 East Civic Center Drive

Gilbert AZ 85296

**OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20150065862 02/02/2015 11:05 N
ELECTRONIC RECORDING
Gilbert1044-17-1-1--**

This area reserved for County Recorder

CAPTION HEADING
Ordinance 2520

DO NOT REMOVE

Exhibits 2, 3, 4, 5 and 6 were adopted with and are incorporated into Ordinance 2520 and are available for viewing in the Office of the Town Clerk, Town of Gilbert, 50 East Civic Center Drive Gilbert AZ 85296.

Exhibit 2	Zoning Map
Exhibit 3	Development Plan
Exhibit 4	Street Section Keysheet
Exhibit 5	Development Plan (Street Section)
Exhibit 6	Open Space and Circulation Plan